

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NOEL K. BANGO,	:	CIVIL ACTION NO. 1:07-CV-1095
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
STATE OF PENNSYLVANIA, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 3rd day of July, 2007, upon consideration of *pro se* plaintiff's motions to proceed *in forma pauperis* (Doc. 4), and for appointment of counsel (Doc. 5), and it appearing that plaintiff is unable to pay the filing fee, see 28 U.S.C. § 1915 ("[A]ny court of the United States may authorize the commencement, prosecution, or defense of any suit . . . without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets . . . that the person is unable to pay such fees or give security therefor."), but that resolution of plaintiff's claim under 42 U.S.C. § 1983 neither implicates complex legal or factual issues nor requires significant factual investigation or the testimony of expert witnesses, see *Tabron v. Grace*, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to a request for counsel), it is hereby ORDERED that:

1. The motion to proceed *in forma pauperis* (Doc. 4) is GRANTED.
2. The Clerk of Court is directed to effect service on the defendants named in the complaint (see Doc. 1).

3. Plaintiff's motion for appointment of counsel (Doc. 5) is DENIED. See Parham v. Johnson, 126 F.3d 454, 456-57 (3d Cir. 1997) (holding that civil litigants have no constitutional right to appointment of counsel).
4. Should further proceedings demonstrate the need for counsel, the matter may be reconsidered either *sua sponte* or upon a motion by plaintiff. See Tabron, 6 F.3d at 156.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge